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REMARKS

Reconsideration and allowance of Claims 1-12, 38-41, and 46 of the subject application are respectfully requested.

Response to Restriction Requirement

The Examiner imposed a two-way restriction requirement in the following groups.

- I. Claims 1-12, 38-41, and 46, drawn to a spunbond layer adhesively bonded to a second layer, classified in class 442, subclass 382.
- II. Claims 13-37 and 42-45, drawn to a composite material with a spunbond/meltblown/spunbond layer, adhesively bonded to a second layer, classified in class 442, subclass 400.

The Applicant's attorney elected Group I without traverse in the December 1, 2005 telephone conversation with the Examiner. That provisional election is now affirmed.

First Rejection Under 35 USC 103

Claims 1-5, 7-9, 38-41, and 46 are rejected under 35 USC 103(a) as unpatentable over US 6,139,675 to Druecke et al. (Druecke) in view of US 5,885,909 to Rudisill et al. (Rudisill). The Examiner offers Druecke as teaching the use of a water-based adhesive, but admits that the reference does not teach a specific nonwoven structure. The Examiner offers Rudisill to cure this deficiency. However, there is nothing in either Druecke or Rudisill that would motivate one of ordinary skill in the art to combine the two to arrive at the invention as recited in the subject claims. As noted in the subject specification at page 9, lines 30-38 the nonwoven sheet require polymers having a certain surface tension. While Rudisill discloses such polymers, there is nothing in Rudisill to suggest that the subject nonwoven sheets should be bonded to other sheets with a water-based adhesive.

The Examiner has not established a prima facie case of obviousness and it is respectfully requested that the rejection be withdrawn.

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Second Rejection Under 35 USC 103

Claims 1-5, 7-12, 38-39, and 46 are rejected under 35 USC 103(a) as unpatentable over US 5,415,925 to Austin et al. (Austin) in view of US 4,588,457 to Crenshaw et al. (Crenshaw) and US 5,681,645 to Strack et al (Strack).

The Examiner considers that the spunbond/meltblown/spunbond (SMS) structure of Austin suggests the claimed structure because the first spunbond layer correlates to the claimed spunbond layer and the additional spunbond layer and meltblown layer correlate to the claimed second layer. SMS fabrics are well known and Austin merely discloses one of the methods for forming such a specific three-layer composite and does not suggest the claimed multi-layer sheet. Moreover, as the Examiner admits, Austin does not suggest a water-based adhesive.

The Examiner offers Crenshaw for teaching water-based adhesives. However, Crenshaw is directed to adhering a spunbond sheet to a tissue ply. As such, there would be no motivation to use the water-based adhesive in Austin.

The Examiner offers Strack as teaching that the claimed spunbond fiber has an average diameter no greater than about 8 microns. However, at column 2, lines 63-65, Strack discloses that the spunbond fiber diameters are more likely in the range between 10 and 20 microns and definitely does not indicate that the fiber sizes are averages.

The Examiner has not established a prima facie case of obviousness and it is respectfully requested that the rejection be withdrawn.

Third Rejection Under 35 USC 103

Claim 6 is rejected under 35 USC 103(a) as unpatentable over Druecke and Rudisill, as applied to claim 1 and further in view of US 5,010,165 to Pruett al. (Pruett).

Pruett fails to overcome the deficiencies presented above as to Druecke and Rudisill; therefore, it is respectfully requested that the rejection be withdrawn.

Fourth Rejection Under 35 USC 103

Claim 6 is rejected under 35 USC 103(a) as unpatentable over Austin, Strack and Crenshaw as applied to claim 1 and further in view of Pruett.

Pruett fails to overcome the deficiencies presented above as to Austin, Strack and Crenshaw, therefore it is respectfully requested that the rejection be withdrawn.

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In view of the foregoing, allowance of the above-referenced application is respectfully requested.

Respectfully submitted



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